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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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WILLIE JAMES MCCRAY,

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Plaintiff,

versus

CIVIL ACTION NO. 1:06-CV-377

WILLIE HAWKINS, *et al.*,

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§

Defendants.

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Willie James McCray, an inmate formerly confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this *Bivens*-type action<sup>1</sup> against Willie Hawkins, Joe Alonzo, Stacey Butler, and John Mirers.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed without prejudice.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

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<sup>1</sup>

*See Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

**ORDER**

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED at Beaumont, Texas, this 6th day of November, 2006.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE